

1 DANIELLE M. HOLT
2 (Nevada Bar No. 13152)
3 DE CASTROVERDE LAW GROUP
4 1149 S Maryland Pkwy
5 Las Vegas, NV 89104
6 Ph (702) 222-999
7 Fax (702) 383-8741
8 danielle@decastroverdelaw.com

9
10 JESSICA L. BLOME
11 (Cal. Bar No. 314898, admitted pro hac vice)
12 GREENFIRE LAW, PC
13 2748 Adeline Street, Suite A
14 Berkeley, CA 94703
15 (510) 900-9502
16 jblome@greenfirelaw.com

17
18 *Attorneys for Plaintiffs*

19
20
21
22
UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

23 ANIMAL WELLNESS ACTION, a non-
24 profit corporation, CANA FOUNDATION, a
25 non-profit corporation, LAURA LEIGH,
26 individually, and WILD HORSE
27 EDUCATION, a non-profit corporation,

28 Plaintiffs,

v.

29 UNITED STATES DEPARTMENT OF
30 INTERIOR, BUREAU OF LAND
31 MANAGEMENT, and JON RABY, Nevada
32 State Director of the Bureau of Land
33 Management,

34 Defendants.

CASE NO. 3:22-cv-00034

**DECLARATION OF SCOTT
BECKSTEAD ON BEHALF OF THE
CENTER FOR A HUMANE ECONOMY**

1 I, Scott Beckstead, declare as follows:

2 1. The facts contained in this declaration are known personally to me and, if called
3 as a witness, I could and would testify competently thereto under oath.

4 2. I am a resident of the state of Oregon.

5 3. I am the current Director of Campaigns of the non-profit organization the Center
6 for a Humane Economy (the Center), which has its principal place of business at 611
7 Pennsylvania Ave., S.E. #136, Washington, D.C. 20003. The first organization of its kind in the
8 animal protection movement, the Center's mission is to forge a more humane economy for
9 animals. The Center does so by influencing the conduct of corporations and industries through
10 means including corporate engagement, advocacy campaigns, consumer education, litigation,
11 and research and analysis of business practices and government policy.

12 4. The Center supports policies, laws, and regulations that improve the welfare of
13 animals in captivity and in the wild. The Center believes that wild horse welfare and survival are
14 inextricably linked with commercial livestock ranching, and for this reason, the plight of
15 American wild horses does, indeed, implicate the American economy and the commercial
16 livestock industry. The Center engages regularly on horse protection efforts, including promoting
17 responsible policies in wild horse management and fighting for federal safeguards under the
18 Wild Free-Roaming Horses and Burros Act.

19 5. In my position as Director of Campaigns of the Center – including our wild horse
20 campaign – I regularly and frequently submit comments on behalf of the Center on Herd
21 Management Area Plans, Environmental Assessments, and other wild horse management
22 documents and hearings made available for public comment.

23 6. If a Herd Management Area Plan (HMAP) for the Pancake Complex had been
24 drafted and made available for comment, I would have submitted comments on behalf of the
25 Center during the appropriate scoping period.

26 7. My comments to such HMAP would have argued that excessive livestock
27 grazing, rather than wild horses, is a significant reason why a majority of BLM land does not
28 meet its own land health standards, and that any Pancake Complex HMAP should consider and

1 invoke, if necessary, the BLM's authority under the Wild Horse Act to close public lands to
2 livestock grazing when necessary to protect wild horses (43 C.F.R. § 4710.5).

3 8. The inability to argue and advocate that the BLM should, instead of reducing wild
4 horse numbers, close land to commercial livestock grazing, served to frustrate CHE's mission to
5 promote a more humane economy and more humane industries, including that of the American
6 livestock industry.

7 9. The Center has tens of thousands of supporters across the United States, including
8 in Nevada. The Center educates and informs our supporters and followers across America about
9 wild horses and burros through articles, photographs, videos, and sharing data and other
10 information.

11 10. I and many of our members are American people whose lives are enriched by
12 having wild free-roaming horses treated as an integral part of the natural system of the public
13 lands. This treatment is predicated upon all management activities being conducted at the
14 minimal feasible level.

15 11. As a staff member and supporter of the Center, I have also been injured myself by
16 the BLM's actions as alleged in the complaint.

17 12. I was born and raised with horses on a farm in Twin Falls, Idaho. As a child,
18 horses were my favorite animal (and continue to be so today). My earliest memories are of being
19 in the saddle with my father on one of our family's horses. I even started studying and reading
20 about wild horses from a young age: I would look up entries on horses in encyclopedias and read
21 children's literature about wild horses.

22 13. I began to formally work on wild horse policy issues around 2008. For over a
23 decade, I have engaged with the media regarding wild horse-related topics. I have given
24 interviews and written opinion pieces on wild horse issues. I also work to bring attention to
25 misinformation and disinformation, much of which I believe comes directly from the BLM, on
26 wild horses in the media.

27 14. In 2008, I also began studying photography of wild horses and following wild
28 horse photographers. I enjoy photography of wild horses in their native habitats a great deal and

1 find the photographs not only beautiful but also emotionally moving and inspiring. I began to
2 share selected works from wild horse photographers on a daily or semi-daily basis on social
3 media.

4 15. My love of and fascination with wild horses also inspired the creation of “Wild
5 Horse Wednesday,” which is my weekly series in which I provide up-to-date news about the
6 most pressing or relevant wild horse issue of that week.

7 16. Because of my sharing and promotion of wild horse photography and the Wild
8 Horse Wednesday series, I have amassed a social media following of up to 12,000 followers,
9 most of which are primarily interested in my coverage of wild horse issues. I am active on
10 Facebook, Instagram, TikTok, and Twitter and use those platforms to share my appreciation of
11 the beauty, power, and personality of wild horses, as well as advocate for their welfare and
12 continuing survival.

13 17. I have also been involved in the rescue of wild mustangs and burros from kill
14 pens to safety in sanctuaries.

15 18. I have also traveled extensively across the American West to visit, observe, enjoy,
16 and photograph wild horses myself, particularly the wild horses of the Onaqui HMA in Utah.

17 19. Because of my love of wild horse photography, my work on Wild Horse
18 Wednesdays, and my own travels and in-person observation and photography of wild horses, I
19 have become familiar with a great many individual wild horses across the West of the United
20 States. This includes the horses of the Pancake Complex, though I have never visited the
21 Pancake horses in person.

22 20. Though I have not yet visited the Pancake horses in person, I hope and plan to do
23 so in the future. I have grave concerns that the past, present, and future BLM actions with
24 regards to the Pancake herds will impact my ability to recreate and enjoy, through observation
25 and photography, the wild horses of these herds in the future.

26 21. In fact, I will be driving through central Nevada in September 2023 and I plan to
27 try to locate wild horses along the way in order to observe and enjoy them, including horses of
28 the Pancake Complex.

1 22. One of the photographers whose work I follow is Laura Leigh. I have shared her
2 photographs of the Pancake Complex horses with my many social media followers and viewers.
3 Her photography of the Pancake Complex horses included very striking cremello (“cremello”
4 refers to the striking, pale cream-colored coat and blue eyes of a small minority of horses) horses
5 whom I particularly enjoyed viewing.

6 23. During the Pancake Complex gather in January to February of 2022 (the 2022
7 Gather), I recall seeing footage and images shared by Laura Leigh of Wild Horse Education. I
8 particularly remember viewing footage of a foal that broke its leg. I have seen disturbing and sad
9 imagery and video of injured and distressed wild horses before, but this instance was particularly
10 egregious to me because, firstly, it involved a baby, and secondly, even though the baby was
11 initially trying to flee on its three working legs, it finally stopped – in what seemed to me like
12 hopeless and fearful despair – and helplessly awaited the BLM truck’s arrival and what I felt was
13 its untimely and unjust death.

14 24. These images of the baby foal caused me a great deal of psychological and
15 emotional anguish. Indeed, this same baby foal was later specifically mentioned in the opening
16 passages of H.R. 3656, the Wild Horse and Burro Protection Act of 2023 – a fact that speaks to
17 the unusually cruel and disturbing nature of this particular incident and its imagery.

18 //

19 //

20 //

21 //

22 //

23 //

24 //

25 //

26 //

27 //

28 //

1 25. The 2022 Gather also caused me anguish and sadness due to the apparent
2 disappearance of a particular cremello stallion in one of the Pancake herds. Before the Gather, I
3 had followed and enjoyed viewing the activities and beauty of this uniquely colored stallion
4 through Laura Leigh's photography; after the Gather, I never saw him again. I felt this loss
5 acutely and personally. I felt as if I had lost an individual I had known, in a way. I will never
6 again enjoy the unique aesthetic impact of this particular cremello stallion, or, for that matter,
7 many of the other individual horses within the Pancake Complex herds I had come to know,
8 enjoy, and love.

10 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United
11 States of America that the foregoing is true and correct.

13 || DATED this 9th day of August, 2023.

/S/Scott Beckstead
Scott Beckstead